

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

-----X

In re: the ex parte application of
B&C KB HOLDING GMBH,

Applicant,

22-mc-00180 (LAK) (VF)

For an order pursuant to 28 U.S.C. § 1782
permitting Applicant to issue subpoenas in aid
of foreign proceedings to:

ORDER

GOLDBERG LINDSAY & CO. LLC d/b/a
LINDSAY GOLDBERG, and MICHAEL
DEES,

Respondents.

-----X

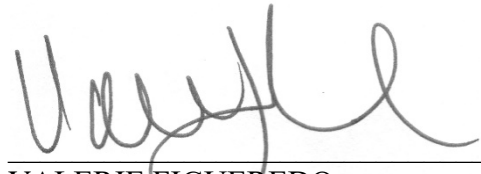
VALERIE FIGUERO, United States Magistrate Judge

On February 15, 2023, Respondents Goldberg Lindsay & Co LLC and Michael Dees submitted a letter motion requesting a stay of this Court's February 6, 2023 Opinion and Order. See ECF No. 46. By that order, the Court granted B&C KB Holding GmbH's application for discovery pursuant to 28 U.S.C. § 1782. See ECF No. 44. Respondents raised objections to the Court's order and requested a stay pending Judge Kaplan's resolution of those objections. B&C opposes the request for a stay. See ECF No. 50. At a conference with the parties on February 28, 2023, an alternative to a stay was discussed. Under that alternative, Respondents' application for a stay would be held in abeyance while the parties engaged in the meet-and-confer process associated with discovery and necessary to determine the scope of topics to be addressed and documents to be produced pursuant to B&C's subpoenas. At the conclusion of those negotiations, and before it became necessary for Respondents to produce any documents, Respondents could renew their request for a stay if Judge Kaplan had not yet ruled on Respondents' objections to the Court's February 6 order.

After further consideration, the Court adopts that approach. Accordingly, Respondents' request for a stay is held in abeyance. The Court will revisit Respondents' request for a stay after the parties have negotiated the terms of any material to be produced by Respondents and, if by that time, Judge Kaplan has not ruled on Respondents' objections. The Clerk of Court is respectfully directed to terminate the letter motion at ECF No. 46.

SO ORDERED.

DATED: New York, New York
March 2, 2023



VALERIE FIGUEREDO
United States Magistrate Judge